IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 23 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

HAFISALI MEHMOODALI SAIYED

Versus

STATE OF GUJARAT

Appearance:

MR EE SAIYED for Petitioners

MR KP RAWAL, APP for Respondent No. 1

(MR HL PATEL) for Respondent No. 3

CORAM : MR.JUSTICE M.

Date of decision: 22/09/2000

ORAL JUDGEMENT

The prayer in this petition under Article 226 of the Constitution is to delete the provisions of TADA from

the FIR (CR No.I-335/92 of Patan City Police Station) which had been filed against the petitioners. The contention that the provisions of TADA are not attracted can be raised before the Designated Court at the appropriate stage, but in the facts and circumstances of the case, there is no reason to delete the provisions at this stage, in exercise of writ jurisdiction. The petition is, therefore, dismissed. Rule discharged.

hki